

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

A.B. DEAN, III,  
and THERESA SMITH DEAN,

Plaintiffs,

v.

Case No.: 3:19-cv-00502-SMD

COLONIAL BANK, NATIONAL  
ASSOCIATION, FAY SERVICING,  
LLC, WILMINGTON SAVINGS FUND  
SOCIETY, FSB, CITIGROUP  
MORTGAGE LOAN TRUST 2017-RP2,  
and FICTICIOUS PARTIES, A, B, C,  
WHOSE EXACT NAMES ARE  
UNKNOWN BUT WILL BE  
SUPPLEMENTED WHEN THE  
EXACT NAMES AND  
INFORMATION ARE DETERMINED,

Defendants.

**NOTICE AND JOINDER IN MOTION TO DISMISS**

COMES NOW, Wilmington Savings Fund Society, FSB, not in its individual capacity, but solely as indenture trustee of Citigroup Mortgage Loan Trust 2017-RP2 (“Wilmington”), and files this Notice regarding Citigroup Mortgage Loan Trust 2017-RP2, stating as follows:

1. On March 10, 2020, the Plaintiffs had a summons issued to Citigroup Mortgage Loan Trust 2017-RP2. A return of service was filed on March 27, 2020,

purportedly showing acceptance of a certified mailing of service of process. The signature is illegible and no name of the individual accepting service is stated.

2. Citigroup Mortgage Loan Trust 2017-RP2 is a trust and has been appearing in this case since the start through its trustee, Wilmington Savings Fund Society, FSB. *See* [Doc. 1].

3. To the extent that this Court views Citigroup Mortgage Loan Trust 2017-RP2 as a party separate and apart from its trustee, Citigroup Mortgage Loan Trust 2017-RP2 hereby joins in the partial motion to dismiss filed by Wilmington and Fay, [Doc. 18].

Respectfully submitted, this 8th day of April 2020.

/s/ Amanda M. Beckett

Timothy P. Pittman (ASB-0075-I51P)

Amanda M. Beckett (ASB-1884-N75B)

**RUBIN LUBLIN, LLC**

200 Clinton Avenue West, Suite 406

Huntsville, Alabama 35801

Tel: (678) 281-2972

Fax: (404) 601-5095

tpittman@rlselaw.com

abeckett@rlselaw.com

*Attorneys for Fay Servicing, LLC and  
Wilmington Savings Fund Society, FSB, not  
in its individual capacity, but solely as  
indenture trustee of Citigroup Mortgage  
Loan Trust 2017-RP2*

**CERTIFICATE OF SERVICE**

I, Timothy P. Pittman, certify that on April 8, 2020, a true and correct copy of the foregoing was served upon all parties as follows:

J. Michael Williams, Sr.  
Attorney for the Plaintiffs  
P.O. Box 1068  
Auburn, Alabama 36821-1068  
mikewilliamslaw@yahoo.com

*via ECF email only*

/s/ Amanda M. Beckett  
Amanda M. Beckett (ASB-1884-N75B)